

26 July 2004

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jerry C. Winslow
Xcel Energy
414 Nicollet Mall (RS-8)
Minneapolis, MN 55401

Re: Ashland / Northern States Power Lakefront Superfund Site
Administrative Order on Consent / CERCLA Docket No. V-W-04-C-764
Comments on the Draft RI/FS Work Plan dated February 18 2004

Dear Mr. Winslow:

In accordance with the Administrative Order on Consent (AOC), CERCLA Docket No. V-W-04-C-764, Appendix A, Statement of Work (SOW), Part III. 1. C and D., the United States Environmental Protection Agency (EPA) hereby disapproves the Draft RI/FS Work Plan. We have provided very prescriptive comments, recommendations, and suggestions to assist Xcel Energy in revising the document. We recommend a technical working meeting as soon as possible to discuss the comments, recommendations, and revisions with Xcel Energy and to assist Xcel Energy with the revisions. Certainly, if Xcel Energy does not agree with certain revisions, we will discuss them and come to a resolution at the meeting.

We also suggest that Xcel Energy need not expend the effort to respond to each comment individually, in writing, by separate letter. We can assign a party to take descriptive notes at our meeting which will provide the record of Xcel's responses to the comments.

It would be best if all technical reviewers could attend this meeting, which would include, EPA, the Bad River Band of Lake Superior Tribe of Chippewa Indians, the Red Cliff Band of Lake Superior Tribe of Chippewa Indians, Wisconsin Department of Natural Resources, and the National Oceanic and Atmospheric Administration. Please note that at the time of this letter, EPA has not received written comments from the Red Cliff Band. However, we believe that all of our comments together reflect the concerns of the Red Cliff Band, based on previous conversations. However, we would like to ensure that the Red Cliff Band's comments are fully addressed and we propose that the Red Cliff Band provide any additional comments they may have at the technical meeting.

Our hope is that our comments and recommendations will simplify the document Xcel Energy has submitted (we recommend merging some sections and removing information that is not typically part of a Work Plan) and serve to streamline the sampling program.

In accordance with the AOC, paragraph 23, Xcel Energy would resubmit a revised work plan to address the comments, within 21 days of receipt of this letter (or other period hereby specified). Since we seek to address our comments with Xcel via a meeting and work with Xcel in revising the Work Plan, EPA recommends that we meet within 21 days of receipt of this letter, or as soon as possible, based upon all of the technical personnels' schedules. Our goal at the meeting is to discuss the comments, and make the revisions during the meeting, so at the end of the meeting, our meeting product is a Revised Work Plan. Within 21 days of the meeting, the appropriate revisions to the Field Sampling Plan (FSP) and Quality Assurance Project Plan (QAPP) should be made and submitted. To the extent possible, EPA requests that Xcel Energy review the comments prior to our meeting, and revise the FSP and QAPP ahead of time, to the extent it can.

Please contact me at your earliest convenience to schedule the meeting. I will contact all of the technical reviewers to assess their availabilities through the month of August.

Sincerely,

Sharon Jaffess, Remedial Project Manager
Superfund Division

cc: James Dunn, WDNR
Kirsten Cahow, Bad River Band
Charlotte Dawn, Red Cliff Band
Jennifer Lawton, NOAA